IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9195 OF 2005

Shahanoor Dongar Shaikh ... Petitioner

V/s

The Shikshan Prasarak Mandal & ors. ... Respondents

Mr. S.A. Sawant for the petitioner.
Mr. M.H. Solkar, A.G.P. for the Resp.No.4.

CORAM: P.V. KAKADE, J.
DATED: 20TH JANUARY, 2006

P.C.:

1. Heard learned counsel for the petitioner and learned A.G.P. for respondent No.4. Perused the record.

2. The petition is directed against the judgment and order passed by the Presiding Officer of the College Tribunal, Pune, dated 2.9.2004 dismissing the appeal of the petitioner which was preferred being aggrieved by the impugned order of termination passed by the respondent No.4 in respect of his service.

It is submitted that the petitioner is entitled to the benefit of the provision contained in G.R. No.USG 1286/(1179)/ViShi-4 of the Department of Education &

Employment Exchange. It is submitted on behalf of the petitioner that the representation made by the management with regard to the regularization of the service of the petitioner is also made in the year 1997 and is still under consideration of the concerned department without any decision and, therefore, the limited prayer at this stage is made to the effect that respondent No.4 may be directed to consider the said proposal and pass appropriate orders in the light of the provision of the said Govt. The Govt. Resolution is dated 25.1.1990.

In view of this aspect, without going into the factual merits involved in the petition, it is hereby directed that the proposal of de-reservation which is already sent by the management to respondent No.4, the respondent No.4 is hereby directed to consider the de-reservation proposal and pass appropriate orders in the case of the present petitioner in the light of the Govt. Resolution dated 25.1.1990 within a period of eight weeks from the date of receipt of writ of this Court. With this direction, the petition stands disposed of.

All the contentions taken up by the petitioner are left

open.

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